

EXHIBIT A

State of New York - Department of State
Division of Corporations

Party Served:
HOME DEPOT U.S.A., INC.

Plaintiff/Petitioner:
VILLARROEL, SERGIO

C/O CORPORATION SERVICE COMPANY
80 STATE STREET
ALBANY, NY 12207-2543

Dear Sir/Madam:

Enclosed herewith is a legal document which was served upon the Secretary of State on 11/12/2015 pursuant to SECTION 306 OF THE BUSINESS CORPORATION LAW.

This copy is being transmitted pursuant to such statute to the address provided for such purpose.

Very truly yours,
Division of Corporations

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
SERGIO VILLARROEL,

Plaintiff,

-against-

HOME DEPOT U.S.A, INC. d/b/a THE HOME DEPOT,

Defendant.
-----X

Index No.: 1358 / 115

Date Purchased:

SUMMONS 11/5/15


Plaintiff designates
Queens County
as the place of trial

The basis of venue is:
Defendant's
Place of Business:
50-10 Northern Blvd.
LIC, New York

To the above named Defendant:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within thirty (30) days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Rockville Centre, New York
October 28, 2015



**DERGARABEDIAN DILLON,
NATHAN, MARINO & RODRIGUEZ**
By: Glen P. Rodriguez, Esq.
Attorneys for Plaintiff
11 Clinton Avenue
Rockville Centre, New York 11570
(516) 766-1619

Defendant's Address:
HOME DEPOT U.S.A., INC.
2455 Paces Ferry Road SE
Atlanta, Georgia 30339

HOME DEPOT U.S.A., INC.
c/o Secretary of State
99 Washington Avenue
Albany, New York 12210

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
SERGIO VILLARROEL,

Plaintiff,

- against -

HOME DEPOT U.S.A., INC. d/b/a THE HOME DEPOT,

Defendant.
-----X

**VERIFIED
COMPLAINT**

Index No.:

Plaintiff, by his attorneys, DERGARABEDIAN, DILLON, NATHAN, MARINO & RODRIGUEZ as and for his complaint herein, respectfully alleges and sets forth as follows:

1. That at all times hereinafter mentioned, the plaintiff, SERGIO VILLARROEL, was and still is a resident of the State of New York, County of Queens.

2. Upon information and belief, at all times hereinafter mentioned, the defendant, HOME DEPOT U.S.A., INC. d/b/a THE HOME DEPOT (hereinafter "The Home Depot") was a business corporation authorized to do business in the State of New York and has a store location at 50-10 Northern Boulevard, Long Island City, New York.

3. Upon information and belief, at all times hereinafter mentioned, the defendant, THE HOME DEPOT operated, managed, maintained and controlled the aforesaid premises located at 50-10 Northern Boulevard, Long Island City, New York.

4. The defendant undertook the duty to provide a safe environment for patrons upon the premises of THE HOME DEPOT located at 50-10 Northern Boulevard, Long Island City, New York.

5. Upon information and belief, on and for some time prior to December 19, 2013, defendant, THE HOME DEPOT, its agents, servants, assigns and/or employees were responsible for the supervision, maintenance and repairs of the metal containers at the aforementioned premises.

6. That on or about December 19, 2013 at approximately 10:00 p.m., the plaintiff, SERGIO VILLARROEL, was a lawful patron in THE HOME DEPOT, located at 50-10 Northern Boulevard, Long Island City, New York, when he sustained serious personal injuries due to a dangerous, hazardous and defective metal container.

7. On and for some time prior to December 19, 2013, the defendant, its agents, servants, assigns and/or employees in disregard of their duty, failed to properly maintain and/or repair the aforesaid metal container.

8. Defendant, by its agents, servants, assigns and/or employees were reckless, careless and negligent in the management, operation, maintenance and control of their premises; in failing to provide the plaintiff with a safe place to traverse; in failing to take any reasonable precautions to protect those persons lawfully upon said premises; in failing to take any precautions so as to avoid the happening of this accident; in causing and permitting the aforesaid metal container to become broken and dangerous; in causing and permitting the premises, including the aforesaid metal container, to become and remain in a dangerous, defective and hazardous condition; in failing to repair and/or in improperly repairing and/or maintaining the aforesaid metal container; in failing to properly and adequately inspect, monitor and maintain the aforesaid metal container within the aforementioned premises on a continuous basis; in failing to recognize the aforesaid metal container as being in a defective, dangerous and hazardous condition; in

failing to take those steps and measures necessary and proper under the circumstances then and there existing to correct said condition in order to avoid an occurrence such as the one herein and to protect the safety of the public and more particularly the plaintiff herein; in creating and maintaining a dangerous nuisance and condition upon the premises; in failing to place barricades, signs, rope off and/or otherwise secure the aforesaid metal container; in failing to post any warnings of the dangerous condition there existing; in failing to keep and maintain the premises in a safe and suitable condition; in failing to properly train, instruct and supervise agents, servants and/or employees with respect to the general maintenance and/or general repair of the aforesaid metal container; in failing to remedy a dangerous, defective and hazardous condition in a timely manner and otherwise being negligent in the premises.

9. The defendant, its agents, servants, assigns and/or employees had actual notice of the condition herein complained of or caused and created the condition therein, or the condition herein complained of existed for a sufficient length of time prior to the happening of the accident complained of and that in the exercise of reasonable care, the defendant could have and should have such notice.

10. The aforesaid occurrence and the injuries and damages sustained by the plaintiff were caused solely and wholly by the negligence of the defendant without any negligence on the part of the plaintiff in any way contributing thereto.

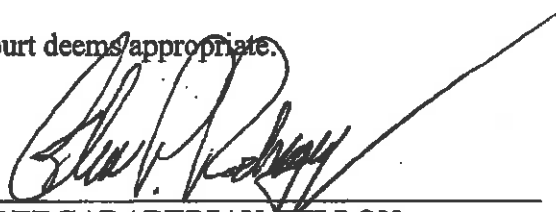
11. As a direct and proximate result of the aforesaid accident, the plaintiff sustained serious personal injuries, has become sick, sore, lame and/or disabled; has sustained serious and severe personal injuries to plaintiff's body; may have sustained aggravation, activation, triggering, and/or precipitation of pre-existing and/or latent

condition(s), if any; has sustained great pain, agony and/or suffering; has sustained emotional and/or mental distress, suffering and/or anxiety; has sustained injuries which are and will be permanent and the plaintiff may be so disabled in the future; has required medical and/or hospital care and treatment related services and has incurred medical expenses and, upon information and belief, the same or similar treatment and/or medical expenses may be required in the future; has been prohibited and prevented from pursuing plaintiff's usual and customary daily activities and/or employment and, upon information and belief, may continue to be unable to pursue the same in the future with the same degree of efficiency and/or ability as prior to the accident.

12. That this action falls within one or more of the exceptions set forth in C.P.L.R. Section 1602.

13. That the plaintiff, SERGIO VILLARROEL, sustained damages in an amount which exceeds the jurisdictional limits of this Court.

WHEREFORE, plaintiff demands judgment against the defendant in an amount which exceeds the jurisdictional limits of the Courts of the State of New York, together with interest from the date of the accident, costs and disbursements of this lawsuit and for such other and further relief as this Court deems appropriate.



**DERGARABEDIAN, BILLON,
NATHAN, MARINO & RODRIGUEZ**
By: Glen P. Rodriguez, Esq.
Attorneys for Plaintiff
11 Clinton Avenue
Rockville Centre, New York 11570
(516) 766-1619

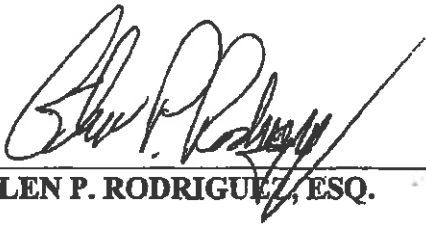
VERIFICATION

STATE OF NEW YORK)
COUNTY OF NASSAU) ss:

GLEN P. RODRIGUEZ, ESQ., affirms the following under the penalties of perjury:

That I am the attorney for the aforementioned Plaintiff in this instant action. I have read the foregoing **VERIFIED COMPLAINT**, and same is true to my own knowledge; that the grounds of my belief as to all matters not stated upon knowledge are correspondence and other writings furnished to my office by the Plaintiff. The reason this verification is not made by this answering Plaintiff is that he resides outside of Nassau County, which is the County where my law office is located.

Dated: October 28, 2015



GLEN P. RODRIGUEZ, ESQ.

STATE OF NEW YORK, COUNTY OF

ss:

I, the undersigned, am an attorney admitted to practice in the courts of New York, and

Attorney's
Certificationcertify that the annexed
has been compared by me with the original and found to be a true and complete copy thereof.

say that: I am the attorney of record, or of counsel with the attorney(s) of record, for

Attorney's
Verification
by
Affirmation

I have read the annexed

know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following.

The reason I make this affirmation instead of

is

I affirm that the foregoing statements are true under penalties of perjury.

Dated:

(Print signer's name below signature)

STATE OF NEW YORK, COUNTY OF

ss:

being sworn says: I am

Individual
Verification

in the action herein; I have read the annexed

know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

Corporate
Verification

the of

a corporation, one of the parties to the action; I have read the annexed

know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based upon the following:

Sworn to before me on

, 20

(Print signer's name below signature)

STATE OF NEW YORK, COUNTY OF

ss:

being sworn says: I am not a party to the action, am over 18 years of

age and reside at

On

, 20 , I served a true copy of the annexed

in the following manner:

Service
by Mail

by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service, addressed to the address of the addressee(s) indicated below, which has been designated for service by the addressee(s) or, if no such address has been designated, is the last-known address of the addressee(s):

Personal
Service

by delivering the same personally to the persons at the address indicated below:

Service by
Facsimile

by transmitting the same to the attorney by facsimile transmission to the facsimile telephone number designated by the attorney for that purpose. In doing so, I received a signal from the equipment of the attorney served indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service, addressed to the address of the addressee(s) as indicated below, which has been designated for service by the addressee(s) or, if no such address has been designated, is the last-known address of the addressee(s):

Service by
Electronic
Means

by transmitting the same to the attorney by electronic means upon the party's written consent. In doing so, I indicated in the subject matter heading that the matter being transmitted electronically is related to a court proceeding:

Overnight
Delivery
Service

by depositing the same with an overnight delivery service in a wrapper properly addressed, the address having been designated by the addressee(s) for that purpose or, if none is designated, to the last-known address of addressee(s). Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Sworn to before me on

, 20

(Print signer's name below signature)

PLEASE TAKE NOTICE

☐ that the within is a (certified) true copy of a
entered in the office of
the clerk of the within named Court on

☐ that an Order of which the within is a true copy
will be presented for settlement to the
Honorable one of
the judges of the within named Court, at
on , at

Dated: _____

**DERGARABEDIAN, DILLON, NATHAN,
MARINO & RODRIGUEZ**

Attorneys for

11 CLINTON AVENUE
ROCKVILLE CENTRE, NEW YORK 11570
(516) 766-1619

Pursuant to 22 NYCRR 130.1.1-a, the undersigned, an attorney
admitted to practice in the courts of New York State, certifies
that, upon information and belief and reasonable inquiry, (1) the
contentions contained in the annexed document are not frivolous
and that (2) if the annexed document is an initiating pleading, (i)
the matter was not obtained through illegal conduct, or that if
it was, the attorney or other persons responsible for the illegal
conduct are not participating in the matter or sharing in any fee
earned therefrom and that (ii) if the matter involves potential
claims for personal injury or wrongful death, the matter was not
obtained in violation of 22 NYCRR 1200.41-a.

Dated: _____

Prior signer's name

**DERGARABEDIAN, DILLON, NATHAN,
MARINO & RODRIGUEZ**

Attorneys for

11 CLINTON AVENUE
ROCKVILLE CENTRE, NEW YORK 11570
(516) 766-1619

To

Attorney(s) for

Index No.

Year 20

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

201611200128

SERGIO VILLARROEL,

Plaintiff,

-against-

HOME DEPOT U.S.A., INC. d/b/a THE HOME DEPOT,

Defendant.

SUMMONS and VERIFIED COMPLAINT

**DERGARABEDIAN, DILLON, NATHAN,
MARINO & RODRIGUEZ**

Attorneys for

11 CLINTON AVENUE
ROCKVILLE CENTRE, NEW YORK 11570
(516) 766-1619

To

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

ALL-STATE INTERNATIONAL, INC.
ATTORNEYS AT LAW
67103-96 - 67103-96 - 67103-96
(800) 222-6810

035

441946147

DOS-470 (Rev. 4/08)
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

Return Service Requested

